

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BARBARA JEAN PILLERA,

Plaintiff,

v

Case No. 02:07-cv-12574

Judge Paul D. Borman

Magistrate Judge Mona K. Majzoub

**DEARBORN HEIGHTS POLICE OFFICER
LEE LAFEVE and THE CITY OF DEARBORN
HEIGHTS**, jointly and severally,

Defendants.

THOMAS M. LOEB (P25913)
Attorney for Plaintiff
32000 Northwestern Hwy, Ste 170
Farmington Hills, MI 48334-1507
(248) 851-2020

CUMMINGS, McCLOREY, DAVIS, & ACHO, P.L.C.
BY: **JEFFREY R. CLARK** (P-33074)
Attorneys for Defendants
33900 Schoolcraft Road
Livonia, Michigan 48150
(734)261-2400

**PROTECTIVE ORDER REGARDING POLICIES AND
PROCEDURES OF THE DEARBORN HEIGHTS POLICE DEPARTMENT**

At a said session of Court held in the City of
Detroit, County of Wayne, State of Michigan;

ON: _____ 3/18/08 _____

PRESENT: HON. PAUL D. BORMAN _____

Plaintiff having served upon Defendants a Request for Production of Documents including “[a] copy of any and all rules, regulations, general orders, guidelines, policies and procedures, training bulletins, personnel policies, or the like utilized by Defendant City of Dearborn Heights and that were in effect on the date Plaintiff was arrested which governed the actions, duties or obligations of its police officers,” and “[t]hat portion of Defendant Officer Lafeve’s personnel file while employed as a City of Dearborn Heights police officer that includes his complete disciplinary record, if any, including all records, interviews, memoranda, or other documents contained in or made part of his personnel record, including but not limited to the following: a. complaints concerning his conduct as a police officer or law enforcement officer; b. disciplinary or internal law enforcement review of his activities as a police officer or law enforcement officer; and c. performance evaluations,” Defendant, CITY OF DEARBORN HEIGHTS, having served its Objections to said Request for Production of Documents, the parties having agreed to the terms of this Protective Order, and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the City of Dearborn Heights produce a list of the General Orders of the Dearborn Heights Police Department from which Plaintiff will make specific requests and the City of Dearborn Heights will produce the requested portions of Defendant Officer Lafeve’s personnel file with personal information redacted under the following conditions:

1. Production of the requested materials does not constitute a waiver of Defendants' objections to their use, applicability or admissibility in this litigation or any other litigation.

2. The production of the requested material is for discovery purposes in this litigation only, shall be maintained in confidence by counsel, except as set forth in Paragraph 4, and shall be used only for the purpose of this litigation and no other purpose.

3. The production of the requested material does not waive or limit Defendants' ability to pursue subsequent motions in limine, motion for protective order, or motion for summary judgment regarding these documents, their applicability or admissibility in this litigation or any other litigation.

4. The request materials may be used as necessary by Plaintiff's Counsel in this case, including at depositions, filings with the court, court proceedings and at trial to the extent admissible. Plaintiff's Counsel may also disclose such information to his staff, to Plaintiff, and to expert witnesses in this litigation. Plaintiff's Counsel shall advise such individuals of the substance of this Protective Order and that they are bound by its terms.

5. Plaintiff, her attorneys, and experts are bound by these terms through stipulation of Plaintiff's counsel to this Order and each agrees that all copies are to be returned to counsel for the City of Dearborn Heights by plaintiff's attorney upon conclusion of this litigation, including all appeals.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: March 18, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 18, 2008.

s/Denise Goodine
Case Manager

APPROVED AS TO
FORM AND SUBSTANCE:

s/with consent of Thomas M. Loeb
THOMAS M. LOEB (P25913)
Attorney for Plaintiff

s/Jeffrey R. Clark
JEFFREY R. CLARK (P33074)
Attorney for Defendants
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